

MEDIATION Fall 2002 news

MARYLAND COMMISSION ON HUMAN RELATIONS NEWSLETTER

DHR Participates in Pilot Mediation Program

The Department of Human Resources (DHR) is proud to have been the first State Agency to enter into a cooperative agreement with the Maryland Commission on Human Relations to mediate discrimination complaints. With the help of MCHR's highly-trained and skilled mediators, DHR has successfully mediated four disputes that gave rise to discrimination complaints. **"We are extremely pleased with the pilot mediation program,"** said DHR Secretary Emelda P. Johnson. "I believe that this has been a great opportunity for DHR leadership and staff to work out disagreements in an agreeable manner and to maintain employee morale even during difficult situations," noted Secretary Johnson.

"DHR's participation in the mediation program has saved the Department staff time and money in responding to and defending complaints," said William E. Johnson, Jr., Director of DHR's Office of Employment and Program Equity. **"MCHR's new and improved mediation program uses true mediation to heal working relationships, which is a benefit far more important than money."** Each mediation participant has praised the program, regardless of whether a settlement was reached. DHR looks forward to continuing the agreement in an effort to reduce the conflict that interferes with employee relationships and productivity.

Carl W. Bailey, Jr.
Deputy Director

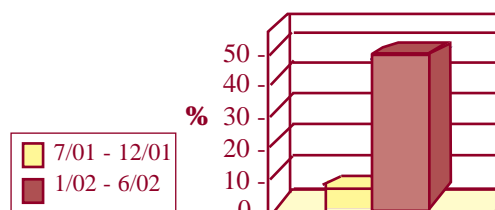
Office of Employment and Program Equity, DHR

How Did We Do In Fiscal Year 2002?

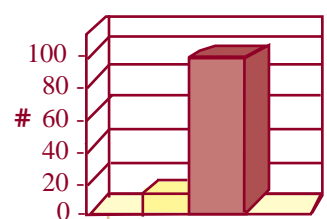
95% of participants were mostly or very satisfied with the overall program.

96% of participants would recommend the program to others in similar situations (even if they didn't achieve resolution in their own dispute through mediation).

Percentage of Total Cases Referred to Mediation



Total Number of Mediated Cases



(Statistics taken from tabulated participant surveys)

Volunteer Spotlight

MCHR now has over 60 active volunteer mediators. Most of our volunteers come from different career backgrounds other than formal conflict resolution such as social work, human services, education, healthcare, etc. However, a few of our mediators have decided to devote their professional lives to the field of formal dispute resolution. In this Fall issue of *Mediation News*, we are spotlighting two such mediators who not only volunteer their time to our program every month, but who have also dedicated their full-time careers to furthering the cause of peaceful dispute resolution.

Daniel K. Miller and Linda Toyo Obayashi share a vision: use the years of legal experience they gained in employment law and litigation to create a firm devoted to collaborative process and conflict management in the workplace. After meeting in a mediation training workshop three years ago, they became friends and ended up practicing at the same mediation office until they went out on their own a year and a half ago. With offices in Mount Washington at the historic Stone Mill, Dan and Toyo are work-

ing full time as conflict management professionals and volunteer as MCHR mediators, and they love their work.

"I feel like I was always meant to do this work," explains Toyo, "and Dan and I are a true team – we mediate together, teach and train together, and are developing a solid practice in the field of corporate conflict management. Dan adds, "I enjoy the responses I get when I tell people that we founded a law firm that doesn't sue anybody." He laughs when he describes the responses he hears: "It's about time!" or "What a great idea!" and "How can I learn more about mediation?"

According to Dan and Toyo, there is a change in progress about the way people feel about resolving disputes, and their overall dissatisfaction with the traditional methods of litigation and arbitration. "Many people want to make their own decisions, and they are willing to accept a reasonable outcome that they control, instead of turning over their disputes to a court system that promotes hostility, delay, unfair tactics, waste of resources, and unpredictable outcome," Dan says with conviction.

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Thank You!

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"The program at the Maryland Commission on Human Relations is a good example," Toyo adds. "Tara Letwinsky has taken the mediation program and completely rejuvenated it. She has created a transformative process program that uses a cross-gender co-mediation model. She trains her own staff of mediators. **It is a fantastic program that is highly effective and serves as a model to other organizations throughout the state.**"

"As mediators for the Human Relations Commission, we deal with so many situations where an employment problem could have been prevented, or solved early, if the company had provided a choice of collaborative methods of dispute resolution, such as an ombudsman program, peer review program, and external and internal mediation services," Toyo explains. Miller and Obayashi are using this knowledge and experience in their own firm to convince local business owners of the virtues of a formal conflict program.

Both Dan and Toyo have an immense degree of enthusiasm and confidence in their work. They have traveled all over the country participating in training workshops, and teach conflict management skills to college, business and law students. According to the "Mediation Team," "we are here to stay, and we are convinced that this field will grow, and we will be there to help in any way we can."

Please contact Tara at 410-767-6459 if you'd like to be "spotlighted" in a future issue.

Joann C. Cole

Conflict management professionals Dan and Toyo conduct a mediation session.

Check It Out –

Looking for more info on dispute resolution? Want to learn more about mediation in Maryland? Check out these websites:

MD Mediation and Conflict Resolution Office

www.courts.state.md.us/adr.html

MD Institute for Continuing Professional Education of Lawyers, Inc.

www.micpel.edu

National Coalition Building Institute

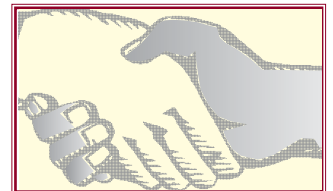
www.ncbi.org

Association for Conflict Resolution

www.acresolution.org

MEDIATION PROGRAM

Congratulations to the newest members of our volunteer mediator staff who just recently completed their 40-hour basic training in October 2002. Welcome!



Thank you!

More and more, both complainants and respondents are recognizing that a few hours of mediation far outweigh a lengthy investigation. In fact, not only have we mediated more cases this past year, we have also had more successful mediation agreements than ever before! Even in cases where the parties do not reach a final written agreement on the day of mediation, they still feel they were given a chance to be heard and share their own opinions which often leads to later agreement.

Our amazing success is all due to the efforts of you – our volunteer mediators. Many of you volunteer up to 10 hours each month and we can't thank you enough for all your hard work and time. As you can see from our 2002 statistics in this issue, we have received wonderful feedback from parties as well as attorneys who have participated in the mediation process. The process works and we are thankful to each and every one of you for continuing to make us a success!

Joann C. Cole

JoAnn Cole
Supervisor, Intake Unit

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CALENDAR

DECEMBER '02	
8-9	Assuring Mediator Quality Symposium, Baltimore (www.transformativemediation.org for details)
10	MCDR Meeting. Topic & Speaker TBA
JANUARY '03	
30, 4p.-8p.	MCHR Volunteer Pot-Luck Dinner & In-Service Training
MARCH '03	
20-22	ABA Section of Dispute Resolution Conference, San Antonio, TX (202-662-1687 for details)
Date TBA	MCHR In-Service Training
APRIL '03	
3-7	PeaceWeb Conference, Atlanta, GA (212-245-6993 for details)
AUGUST '03	
10-14	Federal Dispute Resolution, Inc. (FDR) Conference, Orlando, FL (www.fdr-conference.org)
OCTOBER '03	
15-18	Association for Conflict Resolution (formerly SPIDR, NIDR & AFM) ACR Annual Conference, Orlando, FL (www.acresolution.org)

MEDIATIONNEWS

Training Recruitment

MCHR plans quarterly in-service trainings for its volunteers on relevant laws, developments in the ADR field, and skill building. If YOU or anyone you know would be willing to help us out as a guest speaker at a future in-service training, please call Tara immediately at 410-767-6459. We also welcome your ideas about what topics you would like to see at future trainings!

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